## PATENT COOPERATION TREATY

# **PCT**

# Translation INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference P801345/WO/1	FOR FURTHER ACTION	See Form PCT/IPEA/416							
International application No.	International filing date (day/month/year	r) Priority date (day/month/year)							
PCT/EP2004/002491	11.03.2004	09.04.2003							
International Patent Classification (IPC) or national classification and IPC									
Applicant DAIMLERCHRYSLER AG									
<ol> <li>This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</li> </ol>									
2. This REPORT consists of a total of _		acluding this cover sheet.							
3. This report is also accompanied by Al	NNEXES, comprising:								
a. (sent to the applicant and	to the International Bureau) a total of _8	sheets, as follows:							
sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).									
sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.									
		, containing a sequence listing and/or tables							
	related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).								
4. This report contains indications relation	ng to the following items:								
Box No. I Basis of the	report								
Box No. II Priority									
Box No. III Non-establi	hment of opinion with regard to novelty, inventive step and industrial applicability								
Box No. IV Lack of unit	y of invention								
	Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement								
Box No. VI Certain doc	Box No. VI Certain documents cited								
Box No. VII Certain defe	Box No. VII Certain defects in the international application								
Box No. VIII Certain observations on the international application									
Date of submission of the demand	Date of completic	on of this report							
Name and mailing address of the IPEA/EP	Authorized office	er -							
Facsimile No.	Telephone No.								

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/002491

Box	No. I		Basis of the report	· <del>_</del>			
1.	<ol> <li>With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.</li> </ol>						
	This report is based on translations from the original language into the following language which is the language of a translation furnished for the purposes of:						
		in	ternational search (Rule 12.3 and 23.1(b))				
		☐ pu	blication of the international application (Rule 12.4)	)			
			ternational preliminary examination (Rule 55.2 and/	•			
2.	rece	With regard to the elements of the international application, this report is based on (replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report):					
		the inter	rnational application as originally filed/furnished				
	$\bowtie$	the desc	ਸiption:				
i		pages	1,4-9		20.10	as originally filed/furnished . 2004 with letter	
		pages*	2,2A,3	received by this Authority on			
	_	pages*		received by this Authority on	<del> </del>		
	$\bowtie$	the clair	ms:				
		nos				as originally filed/furnished	
		nos.*		as amended (togethe		y statement) under Article 19	
		nos.*	1-16	received by this Authority on			
		nos.*		received by this Authority on			
	$\boxtimes$	the drav	wings:				
		sheets	1/2-2/2			as originally filed/furnished	
		sheets*		received by this Authority on			
		sheets*		received by this Authority on		<del></del>	
		a seque	nce listing and/or any related table(s) – see Supplem	ental Box Relating to Sequence L	isting.		
3.		The am	nendments have resulted in the cancellation of:				
l		☐ tł	ne description, pages				
		U tł	ne claims, nos.				
		the drawings, sheets/figs					
		U ti	he sequence listing (specify):				
		a	ny table(s) related to sequence listing (specify):			· · · · · · · · · · · · · · · · · · ·	
4.			port has been established as if (some of) the amend we been considered to go beyond the disclosure as fi				
	the description, pages						
	the claims, nos.						
	the drawings, sheets/figs						
	the sequence listing (specify):						
	any table(s) related to sequence listing (specify):						
	* If item 4 applies, some or all of those sheets may be marked "superseded."						

International application No.
PCT/EP2004/002491

			ement under Article 35(2) with regard to novelty, inventive step or industrial applicability; explanations supporting such statement		
1.	Statement				
	Novelty (N)	Claims	1-16	YES	
		Claims		NO NO	
	Inventive step (IS)	Claims	1-16	YES	
ı ı		Claims		NO NO	
	Industrial applicabilit	y (IA) Claims	1-16	YES	
		Claims		NO NO	
l					

#### 2. Citations and explanations (Rule 70.7)

1.

Document DE 44 26 610 (D1) is regarded as the prior art closest to the subject matter of claim 1 and discloses an air-conditioning process and device for a stationary vehicle from which the subject matter of claims 1 and 10 differs in that:

- information on available on-board means and resources is determined by a device suitable for that purpose and
- this information is used as the selection criterion for the most suitable air-conditioning means.

The problem solved by the invention consists in the selection of an air-conditioning means which is suitable for achieving a pre-set air-conditioning state while using the smallest possible quantity of resources.

None of the documents cited in the search report shows or suggests the combinations of features in claims 1 and 10. The subject matter of claims 1 and 10 is therefore novel and inventive (PCT Article 33(2) and 33(3)).

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Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

2.

Claims 2-9 are dependent on claim 1 and claims 11-16 are dependent on claim 10. They therefore also meet the PCT novelty and inventive step requirements.

3.

Although claims 1 and 10 are drafted in the two-part form, the features known from D1 are incorrectly included in the characterising part (PCT Rule 6.3(b)).